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Approved for use through 09/30/2000. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

CHECK BOX, if applicable:  
☐ DUPLICATE

7/14  
4-4-00

Address to:

Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231

Attorney Docket No. of Prior Application	702-971578
First Named Inventor	Johan GIERVELD et al
Examiner Name	R. Camby
Group / Art Unit	3618
Express Mail Label No.	EL314743443US

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. § 1.53(d),  
(continued prosecution application (CPA)) of prior application number 08 / 952,775  
filed on 3/12/98, entitled Sport Device

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 1.78(a).

- ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 C.F.R. § 1.116 in the prior nonprovisional application.
- ☒ A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53 (d)(4).
  - ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
.....
  - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
  - ☐ PTO-1449
  - ☐ Copies of IDS Citations

[Page 1 of 2]

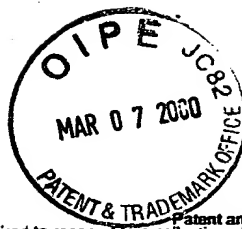
Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

03/09/2000 STEFERRA 00000116 08952775

01 FC:103 162.00 OP  
02 FC:131 690.00 OP

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PTO/SB/29 (8/98)  
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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 C.F.R. § 1.16(c) or (i))	29	-20* =	9	x \$ 18.00 =	\$ 162.00
INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b) or (i))	2	-3** =	0	x \$ 0 =	0
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))				+ \$ _____ =	
				BASIC FEE (37 C.F.R. § 1.16)	690.00
				Total of above Calculations =	
Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27 & 1.28).					
				TOTAL = \$ 852.00	

\* Reissue claims in excess of 20 and over original patent.  
\*\* Reissue independent claims over original patent.

6. Small entity status:

- a. ☐ A small entity statement is enclosed, if (b) and (c) do not apply.  
b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.  
c. ☐ Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees  
Deposit Account No. 23 - 0650:

- a. ☒ Fees required under 37 C.F.R. § 1.16.  
b. ☒ Fees required under 37 C.F.R. § 1.17.  
c. ☐ Fees required under 37 C.F.R. § 1.18.

8. ☒ A check in the amount of \$ 852.00 is enclosed.

9. ☐ New Attorney Docket Number, if desired \_\_\_\_\_

(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)

- 10 a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)  
b. ☐ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)  
11. ☐ Other: \_\_\_\_\_

**NOTE:** The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.

12. NEW CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

or ☐ New correspondence address below

(Insert Customer No. or Attach bar code label here)

Name	Richard L. Byrne				
	Webb Ziesenheim Logsdon Orkin & Hanson, P.C.				
Address	700 Koppers Building				
	436 Seventh Avenue				
City	Pittsburgh	State	PA	Zip Code	15219-1818
Country	USA	Telephone	(412) 471-8815	Fax	(412) 471-4094

13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)

Richard L. Byrne

Signature

*Richard L. Byrne*

Registration No. (Attorney/Agent)

28,498

Date

March 7, 2000

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

ATTORNEY'S DOCKET NUMBER

JOHAN GIERVELD ET AL.

702-971578

ENTITLED

"Sport Device"

BOX CPA  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**EXPRESS MAIL CERTIFICATE**

"Express Mail" Label Number EL314743443US

Date of Deposit March 7, 2000

I hereby certify that the following attached paper or fee

**CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL  
(original and two copies);  
PRELIMINARY AMENDMENT (7 pp.);  
ONE DRAWING SHEET (Figs. 3, 4, 5 & 6);  
and check in amount of \$852.00**

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Gerry Ackleson

(Typed name of person mailing paper or fee)

Gerry Ackleson

(Signature of person mailing paper or fee)



Batch No. F33  
Notice of Allowance dated  
December 7, 1999

PATENT APPLICATION  
Serial No. 08/952,775  
Atty. Docket No. 702-971578

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit 3618 :  
In re application of :  
Johan GIERVELD et al. : SPORT DEVICE  
Serial No. 08/952,775 :  
Filed March 12, 1998 :  
Examiner Richard M. Camby :

*Not Acceptable  
Further changes* *Fig 5* Pittsburgh, Pennsylvania  
February 7, 2000

LETTER TO OFFICIAL DRAFTSPERSON

Box Issue Fee  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

*4/4/00* Enclosed herewith is one (1) set of formal drawings.  
Please substitute the enclosed drawings for the drawings  
currently filed in the above-identified application.

The enclosed drawings include changes required by the  
proposed drawing correction filed on November 5, 1999, which has  
been approved by the Examiner.

Respectfully submitted,

WEBB ZIESENHEIM LOGSDON  
ORKIN & HANSON, P.C.

By

*Richard L. Byrne*  
Richard L. Byrne  
Registration No. 28,498  
Attorney for Applicants  
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I hereby certify that this correspondence is  
being deposited with the United States Postal  
Service as first class mail in an envelope  
addressed to Assistant Commissioner for Patents,  
Washington, D.C. 20231 on February 7, 2000.

Richard L. Byrne, Registration No. 28,498  
(Name of Registered Representative)

Signature

Date

*Richard L. Byrne* 02/07/00